

UNITED STATES DISTRICT COURT

for the
District of Arizona

United States of America)

v.)

Victorino Gumerindo Jimenez-Maldonado,) Case No. 17-349MS

a.k.a.: Victorino G. Maddonado,)

a.k.a.: Victorino G. Jimenez,)

a.k.a.: Jose Estrella,)

a.k.a.: Marcario Jimenez,)

(A201 153 925)

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of April 22, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Victorino Gumerindo Jimenez-Maldonado, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about June 21, 2012, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated By Reference Herein

CEB

REVIEWED BY: Charles E. Bailey, P.S. for Jillian Besancon

☒ Continued on the attached sheet.*Complainant's signature*Gilbert V. Longoria,
Deportation Officer*Printed name and title*

Sworn to before me and signed in my presence.

Date: August 22, 2017*Judge's signature*City and state: Phoenix, ArizonaMichelle H. Burns,
United States Magistrate Judge*Printed name and title*

STATEMENT OF PROBABLE CAUSE

I, Gilbert V. Longoria, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On April 22, 2017, Victorino Gumerindo Jimenez-Maldonado was booked into the Maricopa County Jail (MCJ) intake facility by the Phoenix Police Department on local charges. While incarcerated at MCJ, Jimenez-Maldonado was examined by ICE Officer M. Karakey who determined him to be a Mexican citizen, illegally present in the United States. On the same date, an immigration detainer was lodged with the county jail. On August 21, 2017, Jimenez-Maldonado was released from the Arizona Department of Corrections and transported to the Phoenix ICE office for further investigation and processing. Jimenez-Maldonado was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Victorino Gumerindo Jimenez-Maldonado to be a citizen of Mexico and a previously deported alien. Jimenez-Maldonado was removed from the United States to Mexico through Nogales, Arizona, on or about

June 21, 2012, pursuant to the reinstatement of an order issued by an immigration official. There is no record of Jimenez-Maldonado in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Jimenez-Maldonado's immigration history was matched to him by electronic fingerprint comparison.

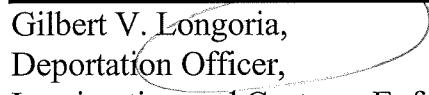
4. On August 21, 2017, Victorino Gumerindo Jimenez-Maldonado was advised of his constitutional rights. Jimenez-Maldonado freely and willingly acknowledged his rights and declined to make any further statements.
5. For these reasons, this affiant submits that there is probable cause to believe that on or about April 22, 2017, Victorino Gumerindo Jimenez-Maldonado, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the

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United States at or near Nogales, Arizona, on or about June 21, 2012, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).



Gilbert V. Longoria,
Deportation Officer,
Immigration and Customs Enforcement

Sworn to and subscribed before me
this 22nd day of August, 2017.



Michelle H. Burns,
United States Magistrate Judge